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## FACSIMILE TRANSMISSION COVER SHEET

**OFFICIAL**

TO: Commissioner of Patents

COMPANY: United States Patent Office

COUNTRY: United States

FACSIMILE NUMBER: (703) 305-3592

FROM: Andrea L. Colby, Reg. No. 30,194

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DATE: October 9, 2003

FACSIMILE NUMBER: (732) 524-5008

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

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## COMMENTS:

This is to file with the United States Patent Office the following papers in connection with United States Patent Application Serial No. 09/483,766 (Attorney Docket No. ROC017) in response to the outstanding Office Action of June 9, 2003:

1. Response
2. Petition for Extension of Time (Two Months) (triplicate) *acc*
3. Declaration
4. Copies of Petition Under 37 CFR 1.183 and attachments

If there are any questions, kindly contact the undersigned

  
Andrea L. Colby, Reg. No. 30,194

Date: October 9, 2003

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Docket No. ROC 017

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Veronique Mahe, et al.

Serial No. : 09/483,766

Art Unit 1615

Filed : January 19, 2000

Examiner: B. Fubara

For : A COSMETIC COMPOSITION BASED ON MENTHOL AND  
MENTHYL LACTATE, HAVING LITTLE ODOR AND BEING  
NON-IRRITATING**RECEIVED  
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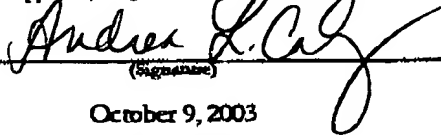
I hereby certify that this correspondence is being filed via telefacsimile to  
Fax number (703) 305-3492 and addressed  
to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

October 9, 2003

(Date)

Andrea L. Colby

Name of applicant, assignor, or Registered Representative



(Signature)

October 9, 2003

(Date of Signature)

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE**

Dear Sir:

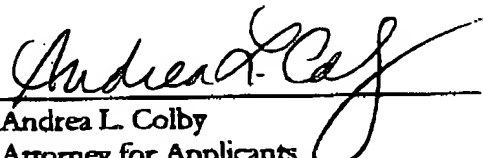
This Response is respectfully submitted in response to the Office Action rendered June 9, 2003. It is timely in view of the Petition for Extension of Time respectfully submitted concurrently herewith. In that Office Action, applicants respectfully acknowledge that claims 1-37 were allowed. However, a new oath or declaration in compliance with 37 CFR 1.67(a) identifying the above-captioned application by application number and filing date was required. The originally-submitted declaration was found to be defective by virtue of the inventors' failure to supply the date of execution of the declaration.

Upon further review of the docket file, applicants have located a fully-executed declaration signed in February of 2000. For some reason, the front page has a red line drawn through it. Applicants are submitting herewith the declaration located in the file. However, in an abundance of caution, applicants are also submitting the most recently-signed declaration which only contains the signatures of two of the inventors. The third inventor had left the company prior to the request to sign the most recent declaration. Several attempts to contact this inventor have been made, as set forth in the Declaration of Andrea L. Colby respectfully submitted concurrently herewith. However, the inventor, Ms. Anne Ernmanuelle Guise, has never responded and it has proven impossible to locate her. Our attempts to do so, directly from the office of the undersigned, from the assignee's European Law Department or through the assignee's local French counsel have proven fruitless. Applicants are therefore respectfully submitting a Petition Under 37 C.F.R. 1.183 to request that the requirement of having Ms. Guise sign an additional declaration. A copy of this Petition is respectfully enclosed herewith..

Applicants respectfully request the acceptance of either the enclosed declaration dated February 25, 2000 or the declarations dated September 5 and 6, 2002 in view of the enclosed copies of a Petition Under 37 C.F.R. 1.183 and Declaration of Andrea L. Colby to be submitted on October 10, 2003 in fulfillment of the requirements of 37 C.F.R. 1.67.

Applicants again respectfully request reconsideration of the objections set forth in the Office Action of June 9, 2003 in view of the foregoing discussion and submissions. An early allowance is earnestly solicited.

Respectfully submitted,

  
Andrea L. Colby  
Attorney for Applicants  
Reg. No. 30,194

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October 9, 2003